### VIRGINIA BOARD OF NURSING INFORMAL CONFERENCES June 10, 2009

TIME AND PLACE: The informal conferences held before an Agency Subordinate of the Board of

Nursing were convened at 9:00 A.M., on June 10, 2009 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond,

Virginia.

**AGENCY** 

SUBORDINATE: Jane Elliott, R.N., Ph.D.

STAFF PRESENT: Ann Tiller, Compliance Manager

Linda Kleiner, Discipline Case Manager (joined later)

Amanda Mitchell, Adjudication Specialist

OTHERS PRESENT: Nursing students from Fortis College

CONFERENCES SCHEDULED:

Andre Meyer, R.N. 0001-157867

Mr. Meyer appeared.

Mr. Meyer was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Meyer unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Meyer within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

Ms. Tiller left the meeting. Ms. Kleiner joined the meeting.

CONFERENCES SCHEDULED:

Arangu Tomdio, R.N. 0001-147236

Ms. Tomdio appeared.

Ms. Tomdio was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Tomdio unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Tomdio within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

## CONFERENCES CONTINUED:

#### Debra Smith, L.P.N. 0002-038141

Ms. Smith did not appear.

Based upon information provided by Ms. Mitchell, Dr. Elliot ruled that adequate notice was given to Ms. Smith.

Tonya James, Compliance Case Manager, Department of Health Professions was present and provided information in the matter of Ms. Smith.

A recommended decision will be made and mailed to Ms. Smith within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall be a Final Order

## CONFERENCES SCHEDULED:

### Jennifer Lewis, R.N. 0001-187669

Ms. Lewis appeared.

Ms. Lewis was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Lewis unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Lewis within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

## CONFERENCES SCHEDULED:

#### Audrey Hollar, R.N. 0001-117631

Ms. Hollar appeared, accompanied by her attorney, Andrea Sloan.

Ms. Hollar was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Hollar unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Hollar within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

## CONFERENCES SCHEDULED:

#### **Cornelia Corbett, R.N. 0001-133715**

Ms. Corbett appeared.

Dr. Elliott and Ms. Corbett acknowledged a prior relationship as teacher and student. Ms. Corbett was given a recess to determine if she wished to continue the conference or be granted a continuance. Ms. Corbett decided to continue with the informal conference today.

Ms. Corbett was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Corbett unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Corbett within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

# CONFERENCES SCHEDULED:

#### Tiana Hill, L.P.N. 0002-063652

Ms. Hill did not appear.

Based upon information provided by Ms. Mitchell, Dr. Elliot ruled that adequate notice was given to Ms. Hill.

A recommended decision will be made and mailed to Ms. Hill within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall be a Final Order

## CONFERENCES SCHEDULED:

#### Jaime Santmyer, L.P.N. 0002-060198

Ms. Santmyer did not appear.

Based upon information provided by Ms. Mitchell, Dr. Elliot ruled that adequate notice was given to Ms. Santmyer.

A recommended decision will be made and mailed to Ms. Santmyer within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall be a Final Order

ADJOURNMENT:

The conferences were concluded at 2:00 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A. Deputy Executive Director

### VIRGINIA BOARD OF NURSING SPECIAL CONFERENCE COMMITTEE June 10, 2009

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was

convened at 9:00 A.M., on June 10, 2009, in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Judith E. Piersall, R.N., B.S.N., Chairperson

Peregrin C. Francisco, R.N., M.S.A.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director

OTHERS PRESENT: Tammi Jones, Adjudication Specialist

**CONFERENCES** 

SCHEDULED: Nancy Olliver, R.N. 0001-156253

Ms. Olliver appeared, accompanied by her attorney, Andrea Sloan.

CLOSED MEETING: Ms. Francisco moved that the Special Conference Committee of the Board of

Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:13 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Olliver. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its

deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:15 A.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the

motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Ms. Francisco moved to issue an order to reinstate the license of Nancy Olliver to

practice as a registered nurse and issue an unrestricted, valid in Virginia

only license.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Olliver unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Olliver within such time. If service of the order is made by mail, three additional days

shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES SCHEDULED:

David Kay, C.N.A. 1401-098986

Mr. Kay appeared, accompanied by his attorney, Paul Beers.

**CLOSED MEETING:** 

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:31 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Kay. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:35 A.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Francisco moved to close the case in the matter of David Kay and impose no

sanction due to insufficient evidence of a violation of the Nurse Practice Act or

Board of Nursing regulations

The motion was seconded and carried unanimously.

CONFERENCES SCHEDULED:

Daphne R. Pitt, R.M.A. Applicant

Ms. Pitt did not appear.

CLOSED MEETING: Ms. Francisco moved that the Special Conference Committee of the Board of

Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:40 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Pitt. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its

deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:45 A.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

**ACTION:** 

Ms. Francisco moved to recommend the Board issue an order to deny Daphne Pitt's application for registration as a medication aide in Virginia. The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Pitt unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Pitt within such time. If service of the order is made by mail, three additional days

shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES SCHEDULED:

### Elizabeth Lawrence, C.N.A. 1401-126599

Ms. Lawrence appeared.

**CLOSED MEETING:** 

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:15 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lawrence. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:** 

The Committee reconvened in open session at 11:20 A.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**ACTION:** 

Ms. Francisco moved to close the case in the matter of Elizabeth Lawrence and impose no sanction due to insufficient evidence of a violation of the Nurse

Practice Act or Board of Nursing regulations.

The motion was seconded and carried unanimously.

CONFERENCES SCHEDULED:

Dorothy Mayo, C.N.A. 1401-100231

Ms. Mayo appeared.

**CLOSED MEETING:** 

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the

Code of Virginia at 1:47 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Mayo. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:** 

The Committee reconvened in open session at 1:57 P.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**ACTION:** 

Ms. Francisco moved to issue an Order of reprimand to Dorothy Mayo with a finding of abuse.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Mayo unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Mayo within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES SCHEDULED:

Shenika S. Walker, C.N.A. 1401-125820

Ms. Walker did not appear.

**CLOSED MEETING:** 

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:00 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Walker. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:** 

The Committee reconvened in open session at 2:05 P.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**ACTION:** 

Ms. Francisco moved to issue an order of reprimand to Shenika Walker with a finding of abuse.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Walker unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Walker within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES SCHEDULED:

### Shanta Lawrence, C.N.A. 1401-111181

Ms. Lawrence did not appear.

**CLOSED MEETING:** 

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:05 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lawrence. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:** 

The Committee reconvened in open session at 2:10 P.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**ACTION:** 

Ms. Francisco moved to issue an Order of reprimand to Shanta Lawrence with a finding of abuse.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Lawrence unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Lawrence within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES SCHEDULED:

LaTonya Steward, C.N.A. 1401-112644

Ms. Steward appeared.

**CLOSED MEETING:** 

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:35 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Steward. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 2:40 P.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**ACTION:** 

Ms. Francisco moved to issue an order of reprimand to Latonya Steward with a finding of misappropriation of patient property.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Steward unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Steward within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES SCHEDULED:

Sandra Cooper, C.N.A. 1401-098925

Ms. Cooper did not appear.

**CLOSED MEETING:** 

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:40 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cooper. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:** 

The Committee reconvened in open session at 2:50 P.M.

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

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Ms. Francisco moved to offer Sandra Cooper a consent order for indefinite suspension of her nurse aide certificate until such time as she can appear before the Board and provided sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Cooper and the Board.

ADJOURNMENT:

The Board adjourned at 3:00 P.M.

Branda Krohn P.N. M.S.

Brenda Krohn, R.N., M.S. Deputy Executive Director

### VIRGINIA BOARD OF NURSING SPECIAL CONFERENCE COMMITTEE June 10, 2009

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was

convened at 9:45 A.M., on June 10, 2009, in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Judith E. Piersall, R.N., B.S.N.

Peregrin C. Francisco, R.N., M.S.A.

STAFF PRESENT: Linda Kleiner, R.N., Discipline Case Manager

#### PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:45 A.M. for the purpose of deliberation regarding case disposition. Additionally, Ms. Francisco moved Ms. Krohn and Ms. Kleiner attend the closed meeting because her presence in the closed meeting is deemed necessary, and her presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:55 A.M.

Ms. Piersall moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the

motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Investigative reports regarding two practical nurses were reviewed.

ACTION: Ms. Piersall moved to offer both of the above individuals a prehearing consent

order in lieu of further administrative proceedings. The motion was seconded and carried unanimously.

ADJOURNMENT: The Committee adjourned at 9:55 A.M.

Linda Kleiner, R.N. Discipline Case Manager